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IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA

SECOND APPELLATE DISTRICT

DIVISION THREE

THE PEOPLE,

Plaintiff and Respondent,

v.

KATIAH SHELDON CRAWFORD,

Defendant and Appellant.

B293821

(Los Angeles County
Super. Ct. No. YA096137)

APPEAL from an order of the Superior Court of
Los Angeles County, Alan B. Honeycutt, Judge. Affirmed.

Charlotte E. Costan, under appointment by the Court of
Appeal, for Defendant and Appellant.

No appearance for Plaintiff and Respondent.

Katiah Sheldon Crawford appeals from a postjudgment order of victim restitution (Pen. Code, §§ 1202.4, 1214.)¹ We affirm the order.

BACKGROUND

Crawford was charged with eight offenses arising out of his fraudulent purchase of automobiles. He pleaded no contest to two counts of grand theft of an automobile (§ 487, subd. (d)(1); counts 1 and 5) and to one count of identity theft (§ 530.5, subd. (a); count 2).² He admitted that the property's value exceeded \$65,000 (§ 12022.6, subd. (a)(1)) and having suffered a prior serious or violent felony within the meaning of the "Three Strikes" law. As part of the plea advisement, the prosecutor told Crawford that in addition to victim restitution he would be charged various fines and fees, including a \$300 to \$10,000 fine to the state victim's restitution fund, a \$30 court facilities fee, a \$40 court security fee, and a \$400 parole revocation fine that would be imposed but stayed.

As agreed, the trial court, on November 8, 2017, sentenced Crawford to seven years eight months. The court imposed the usual assessments and fines, including a \$300 restitution fine under section 1202.4, a \$30 court facilities fee under Government Code section 70373, and a \$40 court operations fee under section 1465.8.

At the subsequent restitution hearing, South Bay Lexus's business manager testified that the total loss of the vehicle was \$104,751.61. They never recovered the vehicle. South Bay Lexus

¹ All further statutory references are to the Penal Code unless otherwise indicated.

² The court dismissed the remaining counts.

received \$98,903.12 from its insurance company. The trial court ordered Crawford to pay \$104,751.61, finding that it was improper to offset the amount paid by the insurer.

Crawford filed a notice of appeal from the restitution order.

DISCUSSION

After review of the record, Crawford's court-appointed counsel filed an opening brief which raised no issues and which asked this court to conduct an independent review of the record, under *People v. Wende* (1979) 25 Cal.3d 436, 441. By letter dated February 13, 2019, we advised Crawford that he had 30 days to submit by brief or letter any contentions or argument he wished this court to consider. Crawford did not submit a supplemental brief.

At the restitution hearing, defense counsel argued that the restitution request should be offset by the insurance proceeds. However, a victim is entitled to restitution in the full amount of the loss caused by the crime, regardless of whether private insurance covered some or part of the loss. (*People v. Birkett* (1999) 21 Cal.4th 226, 246–247; *People v. Vasquez* (2010) 190 Cal.App.4th 1126, 1133–1135.)

We are satisfied that Crawford's attorney has fully complied with the responsibilities of counsel and no arguable issue exists. (*People v. Kelly* (2006) 40 Cal.4th 106, 126; *People v. Wende, supra*, 25 Cal.3d at p. 441.)

DISPOSITION

The order is affirmed.

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DHANIDINA, J.

We concur:

LAVIN, Acting P. J.

EGERTON, J.